

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 01-3445

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Dr. Genick Bar-Meir,

Appellant,

v.

North American Die Casting  
Association; Edmund A. Herman;  
Andrew Behler; William Walkington;  
John Wronowicz; Daniel Twarog;  
Steven Udvardy,

Appellees.

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\* Appeal from the United States  
\* District Court for the  
\* District of Minnesota.  
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\* [UNPUBLISHED]  
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Submitted: February 28, 2002  
Filed: March 15, 2002

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Before BOWMAN, BRIGHT, and LOKEN, Circuit Judges.

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PER CURIAM.

Genick Bar-Meir filed this action against the North American Die Casting Association (NADCA) and six individuals, claiming they infringed his copyrights of a book and an article. The district court<sup>1</sup> dismissed the action for Bar-Meir's

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<sup>1</sup>The Honorable Richard H. Kyle, United States District Judge for the District of Minnesota, adopting the report and recommendation of the Honorable Arthur J. Boylan, United States Magistrate Judge for the District of Minnesota.

persistent failure to comply with orders to provide proper discovery. Bar-Meir appeals the dismissal and several other pretrial rulings.<sup>2</sup>

We hold the district court did not abuse its discretion in dismissing the action after finding that Bar-Meir had intentionally refused to provide discovery central to his claims and NADCA's defense, and that a lesser sanction would not adequately protect NADCA. See Martin v. DaimlerChrysler Corp., 251 F.3d 691, 694-95 (8<sup>th</sup> Cir. 2001)(standard of review). We also hold the court did not abuse its discretion in any of its discovery rulings. See SDI Operating P'ship v. Neuwirth, 973 F.2d 652, 655 (8<sup>th</sup> Cir. 1992)(standard of review).

We further hold the district court did not err in dismissing the individual defendants for lack of personal jurisdiction, see Wessels, Arnold & Henderson v. Nat'l Med. Waste, Inc., 65 F.3d 1427, 1432 (8<sup>th</sup> Cir. 1995)(factors for determining personal jurisdiction), or in denying Bar-Meir leave to file his first proposed amended complaint, as the proposed amendment would have been futile, see Wald v. Southwestern Bell Corp. Customcare Med. Plan, 83 F.3d 1002, 1006 (8<sup>th</sup> Cir. 1996).

Accordingly, we affirm.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.

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<sup>2</sup>The Honorable Susan Richard Nelson, United States Magistrate Judge for the District of Minnesota.